

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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FLAVIA BENITEZ,	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No: 04-CV-11959-NG
	)	
SODEXHO MARRIOTT SERVICES,	)	
Defendant.	)	
	)	

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**DEFENDANT'S MOTION FOR RESCHEDULING OF STATUS CONFERENCE**

The defendant, Sodexho, Inc. ("Sodexho"), misnamed herein as Sodexho Marriott Services, hereby respectfully requests that the Court reschedule the Status Conference presently scheduled for February 28, 2006, to a date convenient to the Court within the first three weeks in January 2006. In support of this Motion, Sodexho states that given that the plaintiff's counsel has recently withdrawn, the parties need the Court's assistance to resolve the numerous discovery issues that have arisen and to address the current Scheduling Order. In regard to outstanding discovery issues, (1) the plaintiff has yet to adequately respond to Sodexho's Interrogatories which were served upon the plaintiff's counsel on May 31, 2005; (2) the plaintiff has yet to provide Sodexho with a date for her deposition, which was originally noticed for July 25, 2005; and (3) the plaintiff has not signed an authorization for the release of her medical records (which is essential in this matter which involves a claim of disability discrimination). Additionally, under the current Scheduling Order, discovery in this matter is set to close on March 2, 2006. Given that Sodexho has not been able to conduct the discovery required in this matter (including the plaintiff's deposition, a review of her medical records and the depositions

of the relevant doctors), Sodexho would request an additional modification to the Scheduling Order to allow the appropriate discovery to be conducted. Accordingly, Sodexho respectfully requests that a Status Conference as early as is convenient for the Court to address these various issues.

WHEREFORE, Sodexho respectfully requests that its Motion be allowed.

SODEXHO, INC.,  
By its attorneys,

/s/ Brian M. Haney  
Harry L. Manion III, BBO #: 317440  
Kenneth J. Martin, BBO #: 636643  
Brian M. Haney, BBO#: 661674  
COOLEY MANION JONES LLP  
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Dated: December 30, 2005

**CERTIFICATE OF SERVICE**

I, Brian M. Haney, attorney for Sodexho, Inc., misnamed herein as Sodexho Marriott Services, in the above-captioned action, hereby certify that on this 30<sup>th</sup> day of December, 2005, a copy of Defendant's Motion for Rescheduling of Status Conference was served via first-class mail upon the plaintiff, Flavia Benitez, at the following address:

P.O. Box 302437  
Jamaica Plain, MA 02130.

/s/ Brian M. Haney  
Brian M. Haney